

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

118852

FILE: B-207711; B-207975

DATE: July 1, 1982

MATTER OF: Northwest Independent Forest Manufacturers

DIGEST:

Protester's expectation that change in conditions limiting disposition of timber purchased from Government by contract awardees will adversely impact timber availability for its members which purchase timber from awardees does not satisfy the interested party requirements under GAO Bid Protest Procedures.

Northwest Independent Forest Manufacturers (Northwest) protests the inclusion of conditions allowing for the export of unprocessed timber from the United States under invitations for bids (IFB) DACA-67-9-82-172, DACA-67-9-92-210 and DACA-67-9-82-214 issued by the Department of the Army for the sale of timber on the Fort Lewis Military Reservation. Northwest is protesting on behalf of four of its members, all of which are mills which anticipate that timber that has normally been available for manufacturing in their operations will be unavailable by virtue of the higher prices paid for exportable logs.

Our Bid Protest Procedures require that a protesting party have some legitimate interest in the procurement before our Office will consider the protest. 4 C.F.R. § 21.1(a) (1981); Aydin Vector Division, B-192431, November 2, 1978, 78-2 CPD 316. A protester may be viewed as possessing a sufficient interest in the award selection even though the protester may not bid on the procurement, as, for example, protests considered by this Office which were filed by a labor union, a contractor's association, and a Chamber of Commerce. Generally, in determining whether a protester satisfies the interested party requirement, consideration is given to the nature of the issues raised and the direct or indirect benefit or relief sought by the protester. This serves to insure the protester's diligent participation in the protest process so as to sharpen the issue

and provide a complete record on which the propriety of the procurement will be judged. Space Services, B-195493, October 22, 1979, 79-2 CPD 276.

In this instance, Northwest is an organization representing the interests of manufacturers which do not participate in the procurement in question; rather, they are mills which purchase timber from the awardees. Their concern relates to a regulation change which will permit these bidders access to overseas markets for the timber, which was previously unavailable, and which Northwest fears will result in higher raw materials cost to its members. In our view, Northwest's members' interest is tangential and remote. They have no direct participation in the procurement and the financial interest in the relief requested is wholly contingent on factors outside the contract award. At best, Northwest's members' interest could be analogized to that of prospective subcontractors. We have consistently held that nondesignated subcontractors which anticipate possible employment under a procurement are insufficiently affected by the procurement to warrant being considered interested parties for protest purposes. Die Mesh Corporation, 58 Comp. Gen. 111 (1978), 78-2 CPD 374. Elec-Trol, Inc., 56 Comp. Gen. 730 (1977), 77-1 CPD 441.

We dismiss the protests.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel